

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

FELIX MARIA MONEGRO-NUNEZ,	:	
	:	
Petitioner,	:	06-CV-1002
	:	
v.	:	
	:	
ALBERTO GONZALES, US Atty. Gen.,	:	
USCIS District Director, DHS Local	:	
Removal Officers, and all Officers	:	
and Employees having physical custody	:	A# 70-154-288
of Petitioner,	:	
	:	
Respondents.	:	

O R D E R

June 19, 2006

On May 17, 2006, petitioner Felix Maria Monegro-Nunez filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241 with the assistance of counsel. At the time Monegro-Nunez was an alien subject to a final order of removal and in the custody of Immigration and Customs Enforcement (ICE). His petition recites that he is challenging the legality of his detention.

On May 17, 2006, we dismissed petitioner's request for a stay of removal for lack of subject matter jurisdiction, denied his request for immediate restraint of transfer to a Louisiana detention facility, and denied his request for a remand of the case to the district director. In that order we directed the government to answer

Monegro-Nunez's petition, but stated that the answer need not address any of his claims challenging his final order of removal because we lack jurisdiction to hear those claims.

On June 6, 2006, in accordance with our May 17, 2006 order the government filed its response to the petition. That response indicates that Monegro-Nunez was removed from the United States on May 17, 2006. Therefore, the petition is now moot and will be dismissed. Blanciak v. Alleghaney Ludlum Corp., 77 F.3d 690, 698-99 (3d Cir. 1996).

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. Monegro-Nunez's petition for a writ of habeas corpus is dismissed.
(Rec. Doc. No. 1)
2. The clerk is directed to close the case file.

s/ James F. McClure, Jr.
James F. McClure, Jr.
United States District Judge